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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,032	07/31/2001	William J. Young	0007056-0069/P5132/RSH	7266
32658	7590	10/07/2003	EXAMINER	
HOGAN & HARTSON LLP ONE TABOR CENTER, SUITE 1500 1200 SEVENTEEN ST. DENVER, CO 80202			TO, BAOQUOC N	
			ART UNIT	PAPER NUMBER
			2172	

DATE MAILED: 10/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/922,032

Applicant(s)

YOUNG ET AL.

Examiner

Baoquoc N To

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-20 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Hickman et al. (US. Patent No. 6,523,036).

Regarding on claims 1 and 11, Hickman teaches a method for migrating a database comprising:

Obtaining said database in a first format (RetrieveSchema is called to retrieve the data structure definition of the "Customers" schema) (col. 20, lines 29-30);

Representing said database in an abstract format (data structure definition is abstract format (col. 20, lines 29-30);

Using said abstract format to convert said database to a second format (the XML object is converted to the system's internal format" (col. 20, lines 33-34); and

Migrating said database in said second format (converted to the system's internal format) (col. 20, lines 33-34).

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Regarding on claims 2 and 11, Hickman teaches said database is a production database (just database) (col. 5, lines 44-55).

Regarding on claims 3 and 12, Hickman teaches database uses a data model (col. 20, lines 20-34).

Regarding on claims 4 and 13, Hickman teaches abstract comprises of one or more views (col. 20, lines 30-34).

Regarding on claims 5 and 14, Hickman teaches step of using said abstract format further comprises: writing scripts (XML) (col. 6, line 47-49).

Regarding on claims 6 and 15, Hickman teaches step of writing said scripts further comprises:

Writing functions to correct data format conversion (col. 21, lines 43-49).

Regarding on claim 7 and 16, Hickman teaches step of writing said scripts further comprises: building temporary tables to map values in the first format database to values in the second format database (col. 20, lines 64-67).

Regarding on claims 8 and 17, Hickman teaches step of writing said scripts further comprises:

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Extracting data from database in first format into insert statements for the database in the second format (col. 20, lines 56-63).

Regarding on claim 9 and 18, Hickman teaches step of extracting data from database in first format into insert statements for the database in the second format further comprising:

Exporting a sample database (retrieve record) (col. 21, lines 26-27);

Importing the said sample database into a test area (check) (col. 21, lines 43-49);

Running said scripts created in claim 5 (converting XML) (col. 21, lines 49-52);

and

Comparing the data of the database in a first format with the data of the database in a second format (col. 22, lines 7-8).

Regarding on claims 10 and 20, Hickman teaches comparing said data of the database in a first format with said data of the database in a second format further comprises:

Comparing and checking the record counts (col. 7, lines 7-8);

Comparing and checking the key and other value counts (col. 7, lines 7-8);

Comparing and checking the graphical user interface (GUI) (col. 7, lines 7-8);

and

Comparing and checking the logs (col. 7, lines 7-8).

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is (703) 305-1949 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached at (703) 305-4393.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

- (703) 746-7238 [After Final Communication]
- (703) 746-7239 [Official Communication]
- (703) 746-7240 [Non-Official Communication]

Hand-delivered responses should be brought to:

Crystal Park II
2121 Crystal Drive
Arlington, VA 22202
Fourth Floor (Receptionist).

Baoquoc N. To
September 29, 2003


SHAHID ALAM
PRIMARY EXAMINER